

REC-1652137  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/160,067
Filing Date	September 24, 1998
First Named Inventor	Walter H. Günzburg
Group Art Unit	1652
Examiner Name	R. Hutson
Attorney Docket Number	2316.1010-000

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.*

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [ ].  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [ ].
- iii. ☐ Other -- [ ].
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other -- [ ].

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [ ] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other -- [ ].

## 3. Fees

The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed. A copy is enclosed for accounting purposes.

- a. ☒ A check is enclosed for the following fees in the amount of 2150.00  
OR  
☐ Authorization is granted to charge the following fees to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

- b. i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 10/22/2001 AWONDAF1 00000078 09160067
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:179 740.00 DP
- iii. ☒ Amendment Fee
- iv. ☐ Other -- [ ].

- c. ☒ Authorization is hereby granted to charge any insufficiency in fees or credit any overpayments to Deposit Account No. 08-0380.

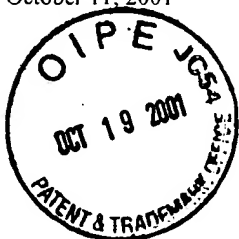
### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Anne J. Collins	Registration No. (Attorney/Agent)	40,564
Signature	<i>Anne J. Collins</i>	Date	October 15, 2001

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Dawn M. Myers	Dawn M. Myers
Signature	<i>Dawn M. Myers</i>	Date October 15, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter H. Gunzburg, Peter Karle, Robert M. Saller, Brian Salmons, Matthias Mohr  
and Petra Muller

Application No.: 09/160,067 Group: 1652  
Filed: September 24, 1998 Examiner: R. Hutson  
For: Encapsulated Cells Producing Cytochrome p450

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Date	Signature
<u>DAWN M MYERS</u>	
Typed or printed name of person signing certificate	

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on October 12, 2000 in the above-identified application. Reconsideration and further examination are requested.

A Request For Continued Examination under 37 C.F.R. §1.114 is being filed in lieu of filing a Brief on Appeal pursuant to the Notice of Appeal received in the U.S. Patent and Trademark Office on April 13, 2001 in the above-identified application. A four-month extension of time for filing a Brief on Appeal is respectfully requested. A separate Petition for Extension of Time and the appropriate fees are being filed concurrently.

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